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OFFICE OF PETITIONS

In re Application of :
Dosen et al. :
Patent No. 6,779,844 :
Application No. 10/017,334 :
Filed: December 14, 2001 :
Issued: August 24, 2004 :
Attorney Docket No. 41575/29338(115) :

ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.183, filed September 1, 2004, to waive the rules and accept the correction of the assignee data on the front page of the above-identified patent. The petition is also being treated as a request under 37 CFR 3.81 to accept the correction of the assignee data.

The petition under 37 CFR 1.183 is **DISMISSED AS MOOT**.

The request under 37 CFR 3.81 is **DISMISSED**.

Effective June 25, 2004, 37 CFR 3.81(b) has been revised to no longer require the correction of the assignee data prior to issuance of the patent. Therefore, a petition to waive the rule is unnecessary. 37 CFR 3.81(b) currently states:

Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a)) and the processing fee set forth in § 1.17(i) of this chapter.

In other words, the request under 37 CFR 3.81(b) will be granted when:

- (1) a request under 37 CFR 3.81 and the fee set forth in 37 CFR 1.17(i) are filed,
- (2) the assignment was submitted for recordation prior to issuance of the patent, and
- (3) a request for a certificate of correction and the fee set forth in 37 CFR 1.20(a) are submitted.

Petitioner has failed to meet requirement (3). Accordingly, before the request under 37 CFR 3.81(b) can be granted, a request for a certificate of correction, along with the requisite \$100.00 fee, is required.

Further correspondence with respect to this matter should be addressed as follows:

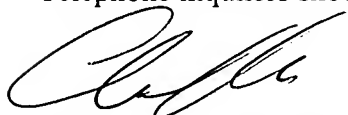
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